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THE UNITED STATES PATENT AND TRADEMARK OFFICE
In re PATENT APPLICATION of: Confirmation Number: 2423
PALVIAINEN

Application No.: 09/446,508

Group Art Unit: 2681

Filed: December 27, 1999

Examiner: Temica M. Davis

Title: ROUTING OF CALL FORWARDING ACCORDING TO BASIC SERVICES

REPLY BRIEF

In response to the comments provided in the Examiner's Answer, Applicant provides the following additional points of clarification rebutting erroneous statements made in the Answer's "Response to Arguments" section.

Specifically, in that section, second full paragraph of page 12, the Examiner has asserted that "[t]he preamble and the body [of claim 1] do not tie in the selection of the types of lines in accordance with line quality." In essence, the Examiner is belatedly arguing (albeit informally) that there is some indefiniteness in the claim that enables his unreasonable and erroneous interpretation of its scope.

Such a characterization is both incorrect and misleading. Claim 1 defines that the method is implemented in a system with several types of lines and each type of line has different qualities.

It is the quality which makes the line types different from each other and thus alternatives to each other. In such an environment one of ordinary skill in the art would easily understand that the claimed method step defining that "selecting one of said alternative types of lines based on the basic service code" should be interpreted such that the quality of the line type would be considered in the selection. One of ordinary skill in the art would also recognize, based on claim 1, and the underlying specification, that the quality is the selection criteria because the claim does not indicate any other criteria which would make the line types different from each other.

- Further, even, assuming for argument's sake that claim 1 were interpreted as asserted by the Examiner, a combination of Joong (U.S. Patent No. 6,134,433) and Le Strat (U.S. Patent No. 6,134,220), analyzed individually, or in combination with each other or the other cited prior art references, would still not lead a person skilled in the art to the claimed

solution, because neither Joong nor Le Strat teach or suggest a solution where a suitable line, to a forwarding number, is selected among several alternative types of lines based on a basic service code, as explained in Section IV B (2)(a)(1) of the Appeal Brief.

Applicant submits that, where the Examiner has asserted that all of the pending claims suffer from the same problem asserted for claim 1 (i.e., a belatedly asserted, alleged indefiniteness that supports the Examiner's unreasonable and erroneous interpretation of claim scope), Applicant responds with the above-stated argument, i.e., the claims would be understood by one of ordinary skill in the to indicate that it is the quality which makes the line types different from each other and thus alternatives to each other. In such an environment one of ordinary skill in the art would easily understand that selection of one of the alternative types of lines based on the basic service code" must be interpreted such that the quality of the line type would be considered in the selection.

For at least this reason and those reasons asserted in the previously filed Appeal Brief, it is respectfully submitted that claims 1-22 are not obvious over the cited references. For the above reasons, Appellant respectfully requests this Honorable Board to reverse the rejection of the claims.

Respectfully submitted,
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